

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CENTRO PRESENTE, a membership organization,
et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., President of the United
States, in his official capacity, *et al.*,

Defendants.

No. 1:18-cv-10340 (DJC)

JOINT STATUS REPORT

As directed by this Court’s September 24, 2021 Order (ECF No. 156), following submission of the parties’ last Joint Status Report on September 14, 2021 (ECF No. 155), Plaintiffs and Defendants respectfully submit this Joint Status Report. The parties jointly request for this Court to extend the stay in this case to March 14, 2022, for the administration to continue to assess how it wishes to proceed in this litigation, including in light of the ongoing mediation at the Ninth Circuit concerning the Temporary Protected Status (“TPS”) determinations at issue in this case—Haiti, El Salvador, and Honduras.

As discussed in previous status reports, the Department of Homeland Security published a Federal Register Notice formally announcing the Secretary’s new designation for Haiti. 86 Fed. Reg. 41,863 (Aug. 3, 2021). In addition, as previously discussed, the Secretary of Homeland Security published a new Federal Register Notice extending TPS documentation for, *inter alia*, El Salvador and Honduras through December 31, 2022. *See* Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal, 86 Fed. Reg. 50,725 (Sept. 10, 2021). In the meantime, the

terminations of TPS for Haiti, El Salvador and Honduras remain either enjoined or stayed per court order. *See Ramos v. Nielsen*, No. 18-16981 (9th Cir.) (June 25, 2021, order staying consideration of rehearing en banc petition for appeal, and thus stay of any mandate, pending mediation); *Bhattarai v. Nielsen*, Case No. 3:19-cv-731-EMC (N.D. Cal.), ECF No. 23, at ¶ 6 (court order staying termination of TPS for Honduras pending *Ramos* appeal).

The parties in *Ramos* are currently engaged in mediation at the Ninth Circuit, with the next mediation session set for December 14, 2022. *See Ramos* (November 18, 2021, scheduling of mediation conference). Accordingly, in light of the ongoing mediation, the parties respectfully request to continue the stay in this matter through March 14, 2022.

Respectfully submitted,

Plaintiffs.

By their attorneys,

/s/ Justin Wolosz

Eric J. Marandett (BBO# 561730)

Justin J. Wolosz (BBO# 643543)

Anna S. Roy (BBO# 703884)

CHOATE, HALL & STEWART LLP

Two International Place

Boston, Massachusetts 02110

(617) 248-5000

Oren Sellstrom (BBO# 569045)

Lauren Sampson (BBO #704319)

Iván Espinoza-Madriral (Admitted *Pro Hac Vice*)

LAWYERS FOR CIVIL RIGHTS

61 Battery March Street, 5th Floor

Boston, Massachusetts 02110

(617) 988-0624

Dated: December 13, 2021

Defendants

By their attorneys,

BRIAN M. BOYNTON

Acting Assistant Attorney General

BRIGHAM J. BOWEN

Assistant Branch Director

/s/ Adam Kirschner

ADAM D. KIRSCHNER

IL Bar. No. 6286601

Senior Trial Counsel

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW, Room 11020

Washington, DC 20530

Tel: (202) 353-9265

Fax: (202) 616-8460

Email: adam.kirschner@usdoj.gov

Mailing Address:

Post Office Box 883

Washington, D.C. 20044

Courier Address

1100 L Street NW, Room 11020

Washington, D.C. 20005

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: December 13, 2021

/s/ Adam Kirschner